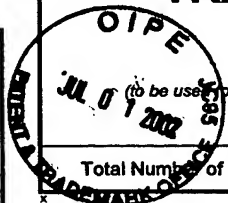


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PTO/SB/21 (08-00)  
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

43

Application Number	10/062,577
Filing Date	January 30, 2002
First Named Inventor	Alexis Mendez
Group Art Unit	2874
Examiner Name	Not Yet Assigned
Attorney Docket Number	60901/P007US/10103166

## ENCLOSURES (check all that apply)

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)<br><br><p>Declaration of Facts and attached Exhibits</p> |
|--|---|---|

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	FULBRIGHT & JAWORSKI L.L.P. William B. Tiffany, Reg. No. 41,347
Signature	<i>William B. Tiffany</i>
Date	June 24, 2002

### Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: June 24, 2002

Signature: *Joy H. Perigo* (Joy H. Perigo)

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1137.00

**Complete if Known**

Application Number	10/062,577
Filing Date	January 30, 2002
First Named Inventor	Alexis Mendez
Examiner Name	Not Yet Assigned
Group Art Unit	2874
Attorney Docket No.	60901/P007US/10103166

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit Account

Deposit Account Number 06-2380

Deposit Account Name Fulbright &amp; Jaworski L.L.P.

The Commissioner is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	370.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					370.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
52	-20** =	32 x 9.00 =	288.00
5	-3** =	2 x 42.00 =	84.00
Multiple Dependent			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					372

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	200.00
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130.00
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					395.00

**SUBMITTED BY**

Name (Print/Type) William B. Tiffany

Registration No. (Attorney/Agent)

41,347

**Complete (if applicable)**

Telephone (214) 855-8204

Signature

William B. Tiffany

Date

June 24, 2002

**Fee Transmittal**

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Dated: June 24, 2002

Signature:

Joy H. Perigo (Joy H. Perigo)

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COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/062,577	01/30/2002	Alexis Mendez	60901-P007US-10103166

CONFIRMATION NO. 1941

FORMALITIES LETTER



\*OC000000007533075\*

FULBRIGHT & JAWORSKI, L.L.P.  
Michael A. Papalas  
Suite 2800  
2200 Ross Avenue  
Dallas, TX 75201

Date Mailed: 02/25/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$372.
  - \$288 for 32 total claims over 20.
  - \$84 for 2 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 807.**

07/03/2002 9WONDAF1 00000024 10062577

01 FC:201	370.00 OP
02 FC:205	65.00 OP
03 FC:202	84.00 OP
04 FC:203	288.00 OP

*A copy of this notice **MUST** be returned with the reply.*

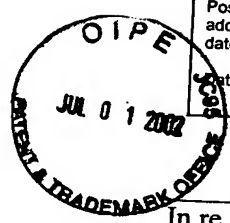
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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Dated: June 24, 2002  
Signature: *Jay H. Perigo*  
(Jay H. Perigo)

Docket No.: 60901/P007US/101031  
(PATEN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Alexis Mendez, et al.

Application No.: 10/062,577

Filed: January 30, 2002

For: OPTICAL FIBER BRAGG GRATING TUNING  
DEVICE

Group Art Unit: 2874

Examiner: Not Yet Assigned

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RESPONSE TO NOTICE OF MISSING PARTS  
PETITION UNDER 37 C.F.R. § 1.47

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Notice of Missing Parts dated February 25, 2002, petition is hereby made to the Commissioner under 37 C.F.R. § 1.47 for completion of the filing requirements for the above identified application for patent where a joint inventor refuses to join in an application or cannot be found or reached after diligent effort. The original Declaration, as signed by the other five inventors is being filed herewith. Accompanying this Petition is a Declaration of Facts in Support of Filing on behalf of Omitted Inventor, including proof of the pertinent facts and the last known address of the non-signing inventor, the fee set forth in 37 C.F.R. § 1.17(i), as required by 37 C.F.R. § 1.47, and the fee set forth in 37 C.F.R. § 1.16(e).

Dated: June 24, 2002

Respectfully submitted,

By *William B. Tiffany*  
William B. Tiffany  
Registration No.: 41,347  
FULBRIGHT & JAWORSKI L.L.P.  
2200 Ross Avenue  
Suite 2800  
Dallas, Texas 75201  
(214) 855-8204  
(214) 855-8200 (Fax)  
Attorneys for Applicant

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